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Heavy Docket Listed**Swindling Case To Go Before Court**By NAT HENDERSON
Staff Writer

A heavy docket Friday in Federal Court here will include the arraignment of a young man accused of swindling the daughter of a former F.B.I. personnel director out of \$800 while posing as a super-secret C.I.A. agent.

The list of arraignments also include two young Jehovah's Witnesses accused of evading the draft by refusing to work 24 months at the Austin State Hospital as an alternative to serving two years in the Armed Forces.

The two conscientious objectors make a total of 11 young men who have appeared here before Chief Judge Adrian A. Spears of the Western District of Texas this year on charges of failing to report to the state hospital on orders of their local draft boards.

Seven arraignments are slated at 10 a.m. The charges include possession of an unregistered sawed-off shotgun, stealing money from the mail, being a bookie without paying the federal tax and dispensing an "illegal" drug.

A Houston man, Kenneth Marvin Drake, is scheduled to be sentenced by Judge Spears at 10 a.m. on two counts of wagering without paying the special tax to the Internal Revenue service.

At 2 p.m., Judge Spears will hear a motion by the U.S. attorney to revoke the suspended sentence imposed on James Edward Tuppen of Beaumont on June 23, 1963. Tuppen was sentenced to six months on each of two counts involving violations of federal gambling regulations, but the sentence was suspended for three years after Tuppen paid a \$400 fine.

The government claims Tuppen violated the provisions of the suspension when he was arrested last June 18 in a gambling

raid on the Chalet Club in Beaumont.

Also on the docket at 2 p.m. are hearings on motions to remand two trials to 147th District Court in Austin and County Court-at-Law No. 2.

Chester Arthur Schutz, an Austin ex-convict, filed a motion asking that state charges against him for possession of marijuana be removed to Federal Court on grounds that he could not get a fair trial in 147th District Court. Judge Spears will hear a motion from Dis. Atty. Tom Blackwell asking that the case be moved back to the state court.

County Atty. Wallace Shropshire has filed a similar motion asking that charges against Judy Cathey be moved back to County Court-at-Law No. 2. Miss Cathey has filed a removal petition on claims that she could not get a fair trial in the county case on charges of aggravated assault against a police officer.

William R. Hagy, who was arrested recently in Salt Lake City, will appear before Judge Spears Friday morning to answer charges of impersonating an agent of the Central Intelligence Agency.

The indictment accuses Hagy of pretending to be a C.I.A. agent to Penelope Elizabeth Acers, daughter of Maurice Acers, former special agent for the Federal Bureau of Investigation. The first count of the indictment alleges that Hagy asked Miss Acers for \$800 to purchase two pounds of heroin in a trap for narcotics peddlers.

The second count alleges that Miss Acers gave him about

\$800 after he told her he was expecting another agent to bring in the trap money but that he had been detained.

Harben Leonard Stanley, 27, an Austin man charged with the burglary of the Farmers State Bank at Bertram last January, will be arraigned Friday on three counts involving the possession of a sawed-off shotgun. Stanley has pleaded innocent to the bank burglary charges.

The new charges accuse him of possessing the sawed-off shotgun last Feb. 3, failing to pay the tax on the weapon and failing to register it with the Treasury Department.

Lawrence Wallace Knowles, 21, a San Antonio resident, will be arraigned on a charge of failing to report to the Austin State Hospital for civilian work on Dec. 6, 1965, as ordered by Selective Service Board No. 8 at San Antonio.

Jimmy R. Zollicoffer, 22, Dallas, is accused of failing to report to the hospital May 24, 1965, on orders of Board No. 26 at Dallas.

Mike Anzaldua Martinez, 20, Austin, will be arraigned on four counts involving the theft of letters from the mail in order to extract checks from them.

Bruce G. Leonard of Houston will be arraigned on three counts involving the violation of federal gambling regulations.

Joe Simmons, 50, a former Alabama resident who has lived here recently, will be arraigned on four counts of possessing d-Amphetamine Sulfate tablets in 1964. He has signed a waiver to be tried here instead of Federal Court in Alabama.